

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 2, 2005 PLANNING COMMISSION MEETING

P.A.S.: Street and Alley Vacation #04013

PROPOSAL: Vacate an alley in Downtown Lincoln in order to combine two adjacent parking lots into one parking lot.

LOCATION: East/west alley located in Block 65, bounded by 13th and 14th, "M" and "N:" Streets.

LAND AREA: 4,800 square feet, more or less.

CONCLUSION: The vacation of this alley has a very limited benefit in terms of additional surface parking spaces, and is likely to result in more congestion on the surrounding streets by displacing some activities that now occur in and along the alley. Vacation of Downtown alleys should generally be reserved for more substantial development projects.

<u>RECOMMENDATION:</u>	Does Not Conform to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: All of the east-west alley in Block 65, Original Lincoln, located in the NE 1/4 of Section 26 T10N R6E, Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	Commercial	B-4 Lincoln Center Business
South:	Commercial	B-4 Lincoln Center Business
East:	Commercial	B-4 Lincoln Center Business
West:	Commercial	B-4 Lincoln Center Business

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as Commercial. (F 25)

Downtown Lincoln continues to serve its role as the central location for commerce, government, entertainment and the arts. (F 16)

Among existing Regional Centers, Downtown Lincoln stands as a unique community resource. Downtown is the county's most intensive center of activity, offering a broad mix of retail, office, industrial, residential, and governmental uses. It is home to numerous public facilities - including the Nebraska State Capitol, the University of Nebraska-Lincoln's main campus, and County-City Building - as well as private endeavors -

including financing, insurance, and other business services. Downtown Lincoln has historically served as the community's dominant center of entertainment. (F 43, 44)

The City should preserve and enhance Downtown's role as:

- the major office and service employment center of the City
- the focus of all levels of government
- the City's principal cultural and entertainment center
- the hotel and convention center for the City
- the City's financial center
- a hub of higher education
- specialty retail geared toward employees, area residents, convention visitors and university population. (F 48)

Downtown Lincoln will continue as the largest commercial district within the city and county. As both new construction and reuse of existing structures occurs, the demand for parking services will remain strong. These parking services will be needed to support office workers, students, residents, and entertainment goers. (F 101)

Continue and enhance a comprehensive approach to managing and maintaining Downtown parking, encompassing public and private parking facilities, on-street parking, and fines. (F 102)

UTILITIES: There are several utilities located within this right-of-way: LES has underground and overhead facilities, as well as a street light; Public Works has an 8" sanitary sewer and manhole; and Alltel and Time Warner have underground facilities.

TRAFFIC ANALYSIS: This alley currently takes access from 13th and 14th Streets. Public Works requires that the alley returns be replaced with sidewalk, curb, and gutter if this alley is vacated. Access to the two parking lots must be reviewed as one lot, and access must be minimized.

ANALYSIS:

1. This is a request by the two owners of Block 65 in Downtown Lincoln to vacate an alley in order to combine two adjacent parking lots into one parking lot.
2. There are existing utilities within the right-of-way. Utility easements will be retained over the entire vacated area for existing and future facilities.
3. The existing alley returns must be replaced with sidewalk, curb, and gutter. A bond must be posted to guarantee the completion of this work.
4. Access to the revised parking lot must be minimized. Public Works does not object to the proposed parking lot layout and access if this vacation is approved. However, concerns have been expressed by a nearby owner over how loading and unloading, delivery, and garbage collection activities will be affected.
5. The vacation of this alley will not create lots without frontage and access to a public street.

6. Recent requests for vacations of street right-of-way in the Downtown area have spurred many discussions over an appropriate City policy to guide future decisions in the Downtown area. Alleys have been vacated in a number of downtown blocks in the past, although the only recent vacation was to accommodate the new theater complex. Alleys continue to serve important functions in the Downtown area, providing access for loading, delivery and trash collection in a manner that is screened from public view, and keeps the streets largely free for other functions.
7. There is an ongoing need for additional parking within Downtown, and there is also a need for developable land in Downtown. This vacation would provide some additional off-street parking stalls. However, the number of additional spaces is minor in this case.
8. One area of particular interest involves the relationship between parking lots and sidewalks, relevant to landscaping, screening, and providing a soft edge to the hard surface of the parking lot. There are requirements for screening and landscaping parking lots in the Design Standards, but this lot would be “grandfathered” and not required to provide these features.
9. A new Downtown Master Plan is being developed. That plan may include new design guidelines for parking lots as well as other improvements. The plan may also address the issue of vacating alleys. In the absence of a development plan for this block such as was prepared for the new theater complex, it is difficult to see sufficient public benefit to support the vacation request.
10. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.
11. Should the Planning Commission choose to recommend approval, Planning Staff suggests the following conditions.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

1. The provisions of Chapter 14.20 of the Lincoln Municipal Code must be met.

PRIOR TO THE CONVEYANCE OF TITLE TO THE PUBLIC RIGHT-OF-WAY, THE PETITIONER SHALL:

- 2.1 Submit a revised layout of the parking lot to be approved by the Director of Public Works.

- 2.2 Submit a landscaping/screening plan for the entire parking lot to be approved by the Director of Planning.
- 2.3 Submit a bond in the amount of \$7,000 to guarantee the removal of the alley returns and construction of sidewalk, curb, and gutter. This work shall be completed prior to the issuance of final building permits for the reconfigured parking lot.
- 2.4 The City will retain an easement over the entire vacated area for existing and future public utilities.

Prepared by:

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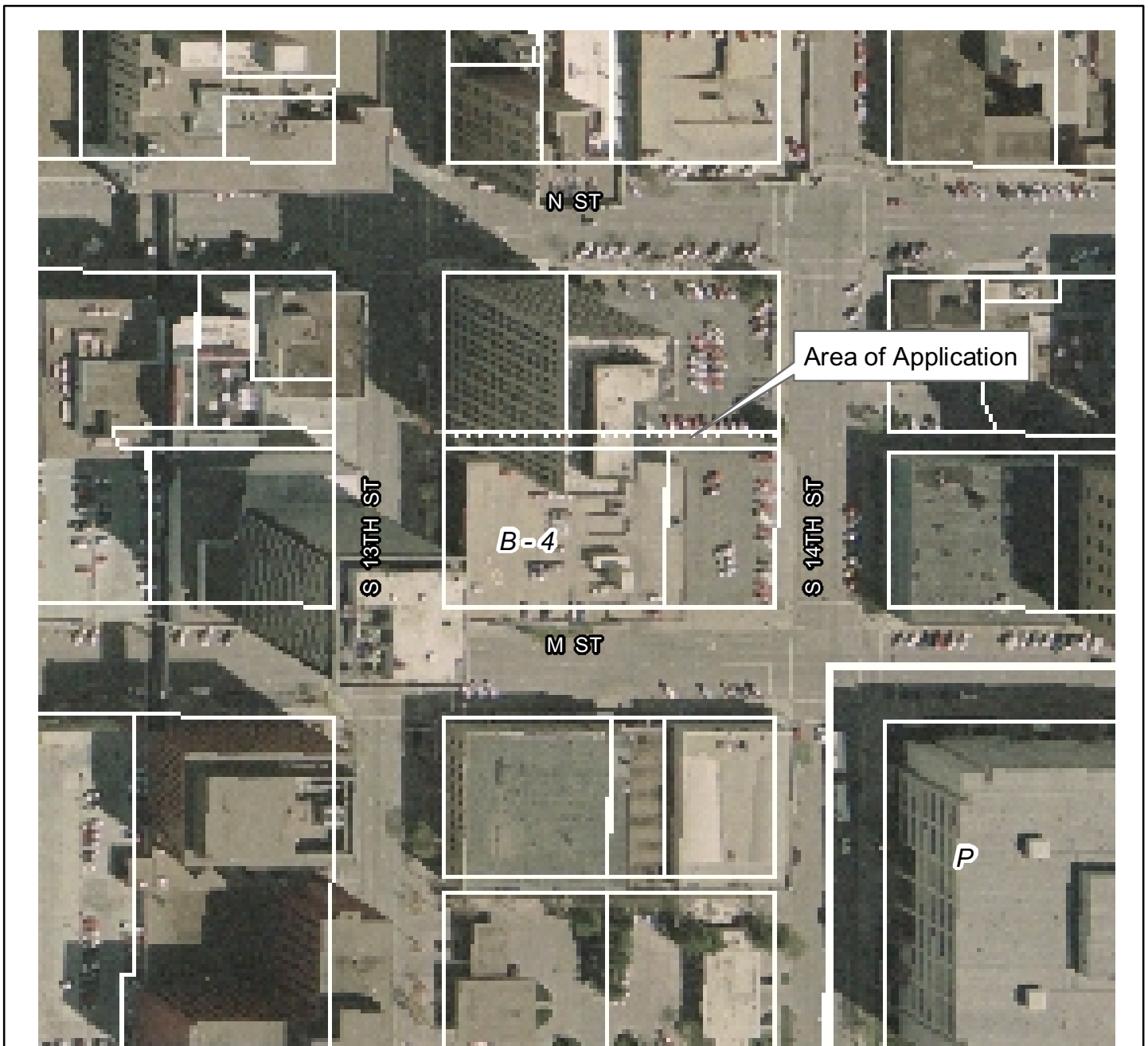
Date: February 2, 2005

Applicants: American Charter Federal Savings & Loan, US Bank Successors
and in Interest

Owners: c/o Grubb & Ellis/Pacific Realty
1200 N Street
Lincoln, NE 68508
475.2661

American Nebraska Limited Partnership
c/o Grubb & Ellis/Pacific Realty
1200 N Street
Lincoln, NE 68508
475.2661

Contact: US Bank
c/o Grubb & Ellis/Pacific Realty
1200 N Street
Lincoln, NE 68508
475.2661



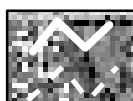
2002 aerial

Street & Alley Vacation #04013 S. 13th & M St

Zoning:

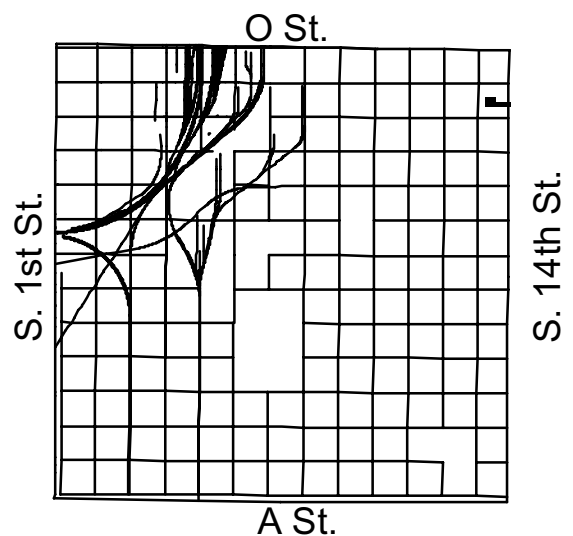
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 26 T10N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

SHARP BLDG

6 5

DUMPSTER

VACATED ALLEY

ONE WAY

ONE WAY

7 8 9 10

ONE WAY

ONE WAY

TWO WAY

TWO WAY

IN

OUT

HC

HC

14TH STREET

PARKING STALLS 120
REGULAR STALLS 219
HC STALLS 2

NOTE: EXISTING LANDSCAPING TO

"M" STREET PARKING LOT PLAN